

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN A. ZACCARO

Plaintiff,

v.

HASU P. SHAH, KIRAN P. PATEL,
AFFORDABLE HOSPITALITY
ASSOCIATES, L.P., AFFORDABLE
HOSPITALITY, INC., HERSHA
HOSPITALITY TRUST, HERSHA
ENTERPRISES, LTD., NISH CAPITAL,
INC., 3344 ASSOCIATES, L.P., JOHN
AND MARY DOE DEFENDANTS 1-10,
AND DOE CORPORATION
DEFENDANTS 1-10

Defendants.

Civil Action No.: 08-Civ-3138 (PKC)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, Edward A. Fleck, Esquire, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: *Anthony L. Byler, Esquire*

Firm Name: *BYLER & BLAKER, LLC*

Address: *Penn Mutual Towers, 510 Walnut Street, 9th Floor*

City/State/Zip: *Philadelphia, PA 19106*

Phone Number: *(215) 238-9300*

Fax: *(215) 238-9301*

U.S. DISTRICT COURT
2008 APR 28 PM 4:24
S.D. OF N.Y.

APR 28 2008

64-2675-526-77

Anthony L. Byler, Esquire is a member in good standing of the Bar of the Supreme Court of the Commonwealth of Pennsylvania and the Bar of the Supreme Court of the State of New Jersey. There is no pending disciplinary proceedings against Anthony L. Byler, Esquire in any State or Federal court.

Dated: April 25, 2008

City, State: Garden City, New York

Respectfully submitted,

BY: 

EDWARD A. FLECK, ESQUIRE

SDNY Bar No.

FLECK, FLECK & FLECK

1205 Franklin Avenue, Suite 300

Garden City, New York 11530-5774

Telephone: 516-742-5200

Fax: 516-248-1085

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOHN A. ZACCARO

Plaintiff,

v.

*HASU P. SHAH, KIRAN P. PATEL,
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Defendants.

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**AFFIDAVIT OF EDWARD A. FLECK,
ESQUIRE IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC VICE**

State of New York)
)
County of Nassau)

ss.

Edward A. Fleck, Esquire, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Fleck, Fleck & Fleck, counsel for Defendants in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Anthony L. Byler, Esquire as counsel *pro hac vice* to represent Defendants in this matter.
2. I am a member of good standing of the bar of the State of New York, and was admitted to practice law on January 19, 1983. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. Mr. Byler is a member in good standing of the Bar of the Supreme Court of Pennsylvania, admitted in 1995 (see Exhibit "A") and of the Bar of the Supreme Court of New Jersey, admitted 1995 (see Exhibit "B"). Mr. Byler is also admitted to the Bar of the United States District Court for the Eastern

District of Pennsylvania, the Bar of the United States District Court for the Middle District of Pennsylvania, the United States District Court for the District of New Jersey, and the Bar of the United States Court of Appeals for the Third Circuit which he is a member of good standing in each.

4. I have known Anthony L. Byler, Esquire since 2005.
5. Anthony L. Byler, Esquire is the managing partner, and is a member of Byler & Blaker, LLC.
6. I have found Anthony L. Byler, Esquire to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
7. I am therefore pleased to move the admission of Anthony L. Byler, Esquire, *pro hac vice*.
8. I respectfully submit a proposed order granting the admission of Anthony L. Byler, Esquire *pro hac vice*, which is attached hereto as Exhibit "C."

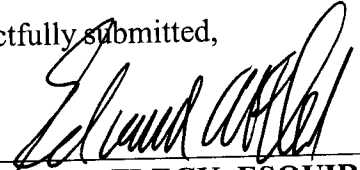
WHEREFORE, it is respectfully requested that the Motion to admit Anthony L. Byler, Esquire, *pro hac vice*, to represent Defendants in the above-captioned matter, be granted.

Dated: April 25, 2008

City, State: Garden City, New York

Respectfully submitted,

BY:


EDWARD A. FLECK, ESQUIRE
SDNY Bar No. 3469
FLECK, FLECK & FLECK
1205 Franklin Avenue, Suite 300
Garden City, New York 11530-5774
Telephone: 516-742-5200
Fax: 516-248-1085

SWORN TO BEFORE
ME THIS 25th day
OF APRIL, 2008



PATRICIA A. FLECK
Notary Public, State of New York
No. 01FL4843824
Qualified in Nassau County
Commission Expires August 31, 2009

RECEIVED
APR 28 2008
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Supreme Court of Pennsylvania

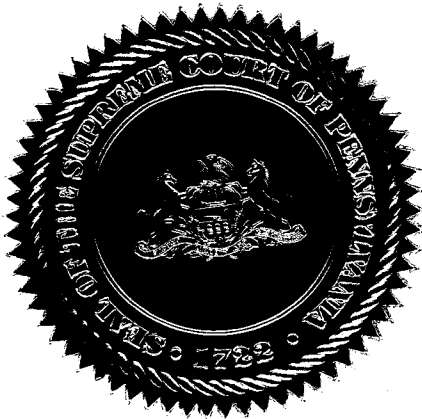
CERTIFICATE OF GOOD STANDING

Anthony Leon Byler, Esq.

DATE OF ADMISSION

November 30, 1995

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: April 18, 2008

Patricia A. Johnson

Patricia A. Johnson
Chief Clerk

EXHIBIT

Supreme Court of New Jersey

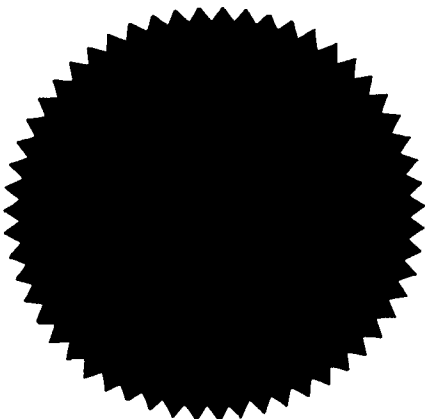


Certificate of Good Standing

This is to certify that **ANTHONY LEON BYLER**
(No. **014051995**) was constituted and appointed an Attorney at Law of New
Jersey on **December 19, 1995** and, as such,
has been admitted to practice before the Supreme Court and all other courts of this State
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"
if the Court's records reflect that the attorney: 1) is current with all assessments
imposed as a part of the filing of the annual Attorney Registration Statement, including,
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not
resigned from the Bar of this State; and 4) has not been transferred to Disability
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to
practice law in this State.*



In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
18TH day of April , 20 08

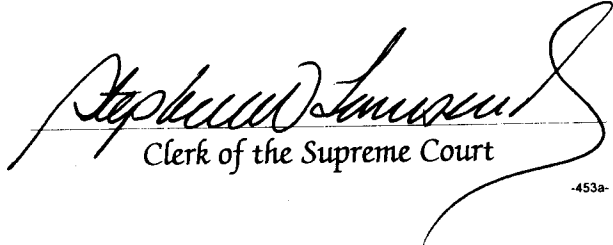

Clerk of the Supreme Court

EXHIBIT "C"

**UNITED STATES DISTRICT COURT
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1-10*

Defendants.

Civil Action No.: 08-Civ-3138 (PKC)

ORDER

Upon the motion of Edward A. Fleck, Esquire, attorney for Defendants and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that:

Applicant's Name: *Anthony L. Byler, Esquire*

Firm Name: *Byler & Blaker, LLC*

Address: *Penn Mutual Towers, 510 Walnut Street, 9th Floor*

City/State/Zip: *Philadelphia, PA 19106*

Telephone/Fax: *(215) 238-9300 / (215) 238-9301*

Email Address: *tbyler@bylerblaker.com*

is admitted to practice *pro hac vice* as counsel for Defendants in the above captioned case in the United States District Court for the Southern District of New York. All attorneys

appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: April __, 2008

United States District Judge

**UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

I, Edward A. Fleck, Esquire, counsel for Defendants, hereby certify that a true and correct copy of the foregoing Motion to Admit Pro Hac Vice was served upon the following individuals via Federal Express Overnight Delivery on April 25, 2008

Eli J. Rogers, Esquire
DREIFUSS BONACCI & PARKER, LLP
26 Columbia Turnpike
North Entrance
Florham Park, NJ 07932

FLECK, FLECK & FLECK

BY:


EDWARD A. FLECK, ESQUIRE

3469